

Oct 29, 2019

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

LYDIA G.,

v.

ANDREW M. SAUL,  
COMMISSIONER OF SOCIAL  
SECURITY,<sup>1</sup>

Defendant.

No. 1:19-CV-3085-JTR

ORDER GRANTING STIPULATED  
MOTION FOR REMAND  
PURSUANT TO SENTENCE FOUR  
OF 42 U.S.C. § 405(g)

**BEFORE THE COURT** is the parties' stipulated motion to remand the above-captioned matter to the Commissioner for additional administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 16. Attorney D. James Tree represents Plaintiff; Special Assistant United States Attorney Sarah Leigh Martin represents Defendant. The parties have consented to proceed before a magistrate judge. ECF No. 7. After considering the file and proposed order, **IT IS ORDERED:**

1. The parties' Stipulated Motion for Remand, **ECF No. 16**, is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

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<sup>1</sup>Andrew M. Saul is now the Commissioner of the Social Security Administration. Accordingly, the Court substitutes Andrew M. Saul as the Defendant and directs the Clerk to update the docket sheet. *See* Fed. R. Civ. P. 25(d).

1 On remand, the administrative law judge (ALJ) will hold a *de novo* hearing  
2 and issue a new decision. The ALJ shall: (1) supplement the record; (2) reconsider  
3 the medical evidence of record, weigh Dr. Eider's opinion and reweigh the other  
4 opinions as necessary; (3) reevaluate Plaintiff's subjective complaints; (4) reassess  
5 Plaintiff's residual functional capacity and explain how it accounts for all severe  
6 impairments; and (5) obtain updated vocational expert testimony. Plaintiff may  
7 present additional testimony and submit additional evidence.

8 2. **Judgment shall be entered for PLAINTIFF.**

9 3. Plaintiff's Motion for Summary Judgment, **ECF No. 14**, is  
10 **STRICKEN AS MOOT.**

11 4. An application for attorney fees and costs may be filed by separate  
12 motion.

13 The District Court Executive is directed to enter this Order, forward copies  
14 to counsel, and **CLOSE THE FILE.**

15 DATED October 29, 2019.



A handwritten signature in black ink, appearing to be "M", is written over a horizontal line.

JOHN T. RODGERS  
UNITED STATES MAGISTRATE JUDGE